U.S. District Court

Timothy Doyle Young

13-CV-341 MJR

FILED
APR 08 2013
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

v.

Counselor Foster

Civil Complaint

Claim One

(1) Counselor Foster refuses to give me writing paper in violation of ADX Policy, BOP Policy, and 28 CFR §540.21(b).

(2) This misconduct is violating my access to the Courts (First Amendment, Right to Petition), this paper was given to me by another inmate.

Claim Two

(3) On Monday 3-18-2013 I gave Counselor Foster several documents for photocopying and on Wednesday 3-27-13

he returned them to me (10 days) without being copied.

(4) Counselor Foster did not give me a reason for refusing to make photo-copies for court cases.

Claim Three

(5) On Wednesday 3-6-2013 I gave Counselor Foster a BP8 form (exhibit #7) but he never returned it to me.

(6) On Monday 3-25-2013 Counselor Foster refused to file a BP9 form (see exhibits #1 - #3).

(7) This misconduct is in violation of the First Amendment (Right to Petition) and the PLRA's exhaustion requirement.

Exhibits

(8) Twenty (20) exhibits are attached and are itemized below:

#1 - Affidavit (3-25-2013), one page.

#2 - BP9 (unfiled) 3-25-2013.
#3 - BP8 (3-29-2011).
#4 - BP9 #634119-F1 (4-5-2011).
#5 - Resp. " " (4-15-2011).
#6 - Resp. #634119-R1 (6-3-2011).
#7 - Carbon copy of BP8 (3-6-2013).
#8 - BP10 #600826-R1 (7-23-2010).
#9 - RN " " (8-2-2010).
#10 - BP11 #600826-A1 (8-13-2010).
#11 - RN " " (9-2-2010).
#12 - Request (3-1-2009) Ms. Bier.
#13 - BP8 (10-12-2010).
#14 - RN #689737-F2 (6-28-2012).
#15 - BP8 (10-17-2011).
#16 - $2255.
#17 - Cert. of Service (12-7-2012).
#18 - $2255.
#19 - Cert. of Service (1-28-2013).
#20 - Memo (2-27-2013) A.W. Kuta.

(9) All twenty exhibits that are listed above and that are attached to this complaint are true and correct documents.

Relief

(10) Correct the Constitutional violations and restore my access to writing paper, photocopying, and the grievance procedure.

I declare under penalty of perjury that the foregoing is true and correct,

Executed on March 28, 2013

Tim Y
Pro Se

Timothy Doyle Young
#60012-001
USP-Max-ADX
PO Box 8500
Florence, CO
81226

"Legal Mail - Open only in presence of inmate"

Declaration

Affidavit of Timothy Doyle Young

I, Timothy Doyle Young, make the following statement under penalty of perjury:

(1) During the week of 3-17-2013 through March 22, 2013 I asked Counselor Foster for writing paper every day.

(2) Every day during the same week, I sent Counselor Foster a written request for writing paper.

(3) On Monday 3-25-2013 Counselor Foster refused to file the attached BP9 and BP8 forms [exhibits #2 and #3].

I declare under penalty of perjury that the foregoing is true and correct.

Executed on
March 25, 2013

T. Y.
Pro Se

Timothy Doyle Young #60012-001
E-A-104

#1